

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES D. SMITH,

Plaintiff,

v.

BRIAN MCGARVIE, *et al.*,

Defendants.

Case No. C05-5156RJB

ORDER GRANTING
EXTENSION OF TIME TO
RESPOND TO MOTION FOR
SUMMARY JUDGMENT

The Court, having considered Plaintiff's motion for enlargement of time (Dkt. #89), and the records and files herein, does hereby find and ORDER:

(1) Plaintiff's request for an extension of time to allow him time necessary to accommodate his transfer to another facility is GRANTED, allowing plaintiff until **January 22, 2007** to file his response to defendants' motion for summary judgment. The underlying motion to dismiss will be considered by the court on its January 26, 2007 motion calendar. The Joint Status Report will be due on or before February 28, 2007.

(2) The Clerk is directed to send uncertified copies of this Order to Plaintiff and counsel of record

DATED this 27th day of December, 2006.

/s/ J. Kelley Arnold

J. KELLEY ARNOLD

United States District Magistrate Judge